

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Case No. 17-cr-56-pp

Plaintiff,

v.

ROBERT RUTLEY,

Defendant.

**ORDER GRANTING THE UNITED STATES' MOTION FOR PRELIMINARY
ORDER OF FORFEITURE (DKT. NO. 18)**

On March 21, 2017, a grand jury returned a two-count indictment against the defendant charging him with, among other things, knowingly distributing child pornography in violation of 18 U.S.C. §2252. Dkt. No. 11. The indictment included a forfeiture notice, listing a Samsung Galaxy tablet computer, model SM-T530NU, serial number R52G2153Q8E. Id. at 3.

On May 3, 2017, the defendant signed a plea agreement. Dkt. No. 16 at 17. In that agreement, the defendant agreed (a) that the Samsung Galaxy tablet facilitated his distribution of child pornography, and (b) that the Samsung Galaxy tablet computer would be forfeited, and that the court could immediately enter a preliminary order of forfeiture. Id. at 12. The defendant pled guilty on May 23, 2017, dkt. no. 17, and on June 29, the United States filed this motion for the preliminary order of forfeiture. Dkt. No. 18.

In light of the plea agreement, the court **FINDS** that the Samsung Galaxy tablet computer, model SM-T530NU, serial number R52G2153Q8E, is subject to forfeiture.

The court **GRANTS** the government's motion for entry of a preliminary order of forfeiture. Dkt. No. 18. The court **ORDERS** that all right, title and interest in the Samsung Galaxy tablet computer, model SM-T530NU, bearing serial number R52G2153Q8E, is **FORFEITED** to the United States under 18 U.S.C. §2253.

The court **ORDERS** that the United States Marshal Service for the Eastern District of Wisconsin, or its duly authorized representative, shall seize the Samsung Galaxy tablet computer listed above.

The court **ORDERS** that under 21 U.S.C. §853(n)(1), the United States shall publish notice of this order and of its intent to dispose of the property according to law.

The court will recount the terms of this order in the defendant's Judgment and Commitment Order.

Dated in Milwaukee, Wisconsin this 5th day of July, 2017.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'P. Pepper', is written over a horizontal line.

HON. PAMELA PEPPER
United States District Judge